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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,297	10/23/2001	Tal Givoly	XACTP009	3620

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EXAMINER

NGUYEN, HAI V

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 06/03/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

4

Office Action Summary

Application No.

10/040,297

Applicant(s)

GIVOLY ET AL.

Examiner

Hai V. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-13, 15-20 and 22 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-6, 8-13, 15-20 and 22 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the communication received on 22 March 2004.
2. Claims 7, 14, 21 are cancelled.
3. Claims 1-6, 8-13, 15-20, 22 are presented for examination.

Response to Arguments

4. Applicant's arguments and amendments filed on 22 March 2004 have been fully considered but they are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the following new ground(s) of rejection as explained here below, necessitated by Applicant's substantial amendment (i.e., (c) generating a single record including the collected data, wherein the single record represents each of the plurality of services; wherein the services include at least two services selected from a group consisting of a hypertext transfer protocol (HTTP) session, an electronic mail session, a multimedia streaming session, a voice over Internet Protocol (IP) session, a data communication session, an instant messaging session, a peer-to-peer network application session, a file transfer protocol (FTP) session, and a telnet session; wherein the data is collected utilizing and enhancement procedure defined utilized a graphic user interface by: listing a plurality of available functions to be applied in real-time prior to end-user reporting, allowing a user to choose at least one of a plurality of fields, and allowing the user to choose at least one of the listed functions to be applied to the chosen filed in real-time prior to the end-user reporting.) to the claims which significantly affected the scope thereof.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-6, 8-13, 15-20, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ball** et al. US patent # **6,446,200 B1**, and further in view of **Farhat** et al. US Patent Application Publication **US2001/0034677 A1**.

7. As to claim 1, Ball, Service Management, teaches substantially the invention as claimed, including a method for generating a single record reflecting multiple services for accounting purposes, comprising:

(a) identifying a plurality of services carried out over a network (*Ball, Abstract, col. 1, line 40 – col. 2, line 13*);

(b) collecting data describing the plurality of services (*Ball, Abstract, col. 1, line 40 – col. 2, line 13*); and

(c) generating a single record including the collected data, wherein the single record represents each of the plurality of services; wherein the services include at least two services selected from a group consisting of a hypertext transfer protocol (HTTP) session, an electronic mail session, a multimedia streaming session, a voice over Internet Protocol (IP) session, a data communication session, an instant messaging session, a peer-to-peer network application session, a file transfer protocol (FTP) session, and a telnet session (*Ball, Abstract, col. 1, line 40 – col. 2, line 13; col. 3, line*

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15 –col. 5, line 9); wherein the data is collected utilizing an enhancement procedure (Ball, Figs. 17-21, col. 19, line 11 – col. 20, line 52; col. 21, line 3 – col. 22, line 4; col. 22, line 6 - col. 24, line 18); However, Ball does not explicitly disclose the enhancement procedure defined utilizing a graphic user interface by: listing a plurality of available functions to be applied in real-time prior to end-user reporting, allowing a user to choose at least one of a plurality of fields, and allowing the user to choose at least one of the listed functions to be applied to the chosen field in real-time prior to the end-user reporting. Thus, the artisan would have been motivated to look to the related internetworking art for potential methods and apparatus for implementing utilizing the graphic user interface by listing a plurality of available functions to be applied in real-time prior to end-user reporting, allowing a user to choose at least one of a plurality of fields, and allowing the user to choose at least one of the listed functions to be applied to the chosen field in real-time prior to the end-user reporting.

In the same field of endeavor, Farhat discloses (*e.g. graphic user interface*) in Fig. 17, the contract screen 300 to facilitate access to contract, pricing, and buy rate and sell rate data (*Farhat, page 11, paragraphs [0214]-[0218]*).

Accordingly, it would have been obvious to one of ordinary skill in the internetworking art at the time the invention was made to have incorporated Farhat's teachings of graphic user interface to process transactions (*see Farhat, Abstract, Figs. 17-21; page 11, paragraphs [0214]-[0218]*) with the teachings of Ball, for the purpose of providing convenient interface (*Farhat, page 11, paragraphs [0214]-[0218]*).

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8. As to claim 2, Ball-Farhat discloses, and further comprising sending the single record to a Business Support System (*Ball, Fig. 1, item 22; Farhat, Fig. 6A*).
9. As to claim 3, Ball-Farhat discloses, wherein the single record is used to bill at least one recipient of the services (*Ball, Fig. 1, item 22; col. 1, line 40 – col. 2, line 13; Farhat, Fig. 6A; Figs. 17-21; Abstract, page 11, paragraphs [0214]-[0218]*).
10. As to claim 4, Ball-Farhat discloses, wherein the plurality of services are received by a single party associated with the single record (*Ball, Fig. 1, item 22; col. 1, line 40 – col. 2, line 13; Farhat, Fig. 6A; Figs. 17-21; Abstract, page 11, paragraphs [0214]-[0218]*).
11. As to claim 5, Ball-Farhat discloses, wherein the single party is identified in the record (*Ball, Fig. 1, item 22; col. 1, line 40 – col. 2, line 13; Farhat, Fig. 6A; Figs. 17-21; Abstract, page 11, paragraphs [0214]-[0218]*).
12. As to claim 6, Ball-Farhat discloses, and further comprising collecting a plurality of the single records, and generating a distinct record including the collected data of each of the single records, wherein the distinct record represents each of the plurality of single records (*Ball, Fig. 1, item 22; col. 1, line 40 – col. 2, line 13; Farhat, Fig. 6A; Figs. 17-21; Abstract, page 11, paragraphs [0214]-[0218]*).
13. Claim 8 lists all the same elements of claim 1, but in computer program product form rather than method of operation form. Therefore, supporting rationale of rejection to claim 1 applied equally as well claim 8.
14. Claims 9-13 are substantially the same as claims 2-6 and are thus rejected for reason similar to those in rejection claims 2-6.

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15. Claim 15 lists all the same elements of claim 1, but in corresponding system form rather than method of operation form. Therefore, supporting rational of rejection to claim 1 applied equally as well claim 15.

16. Claims 16-20 are substantially the same as claims 2-6 and are thus rejected for reason similar to those in rejection claims 2-6.

17. As to claim 22, Ball-Farhat discloses a method for generating a single record reflecting multiple services, comprising:

(a) collecting data with different formats describing a plurality of services, (*Ball, Fig. 1, item 22; col. 1, line 40 – col. 2, line 13; Farhat, Fig. 6A; Figs. 17-21; Abstract, page 11, paragraphs [0214]-[0218]*);

(b) collecting data with different formats describing users of the services (*Ball, Fig. 1, item 22; col. 1, line 40 – col. 2, line 13; Farhat, Fig. 6A; Figs. 17-21; Abstract, page 11, paragraphs [0214]-[0218]*);

(c) generating a single record including the collected data representing each of the services and the users (*Ball, Fig. 1, item 22; col. 1, line 40 – col. 2, line 13; Farhat, Fig. 6A; Figs. 17-21; Abstract, page 11, paragraphs [0214]-[0218]*);

(d) collecting a plurality of the single records (*Ball, Fig. 1, item 22; col. 1, line 40 – col. 2, line 13; Farhat, Fig. 6A; Figs. 17-21; Abstract, page 11, paragraphs [0214]-[0218]*);

(e) generating a distinct record including the collected data of each of the single records, wherein the distinct record represents each of the plurality of single records

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(Ball, Fig. 1, item 22; col. 1, line 40 – col. 2, line 13; Farhat, Fig. 6A; Figs. 17-21;

Abstract, page 11, paragraphs [0214]-[0218]); and

(f) sending the distinct record to a Business Support System wherein the services include a hypertext transfer protocol (HTTP) session, an electronic mail session, a multimedia streaming session, a voice over Internet Protocol (IP) session, a data communication session, an instant messaging session, a peer-to-peer network application session, a file transfer protocol (FTP) session, and a telnet session; wherein the data is collected utilizing and enhancement procedure defined utilized a graphic user interface by: listing a plurality of available functions to be applied in real-time prior to end-user reporting, allowing a user to choose at least one of a plurality of fields, and allowing the user to choose at least one of the listed functions to be applied to the chosen field in real-time prior to the end-user reporting *(Ball, Fig. 1, item 22; col. 1, line 40 – col. 2, line 13; col. 3, line 16 – col. 4, line 60; col. 4, line 61 – col. 5, line 25; Farhat, Fig. 6A; Figs. 17-21; Abstract, page 11, paragraphs [0214]-[0218]).*

Prior Art Of Record

18. The prior art made of record and relied upon is considered pertinent to applicant's disclosure.

Ball et al. (US 6,446,200 B1), Farhat et al. (US 2001/0034677 A1) are related prior art disclosing implementation of network accounting records.

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Conclusion

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 703-306-0276. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hai V. Nguyen
Examiner
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JACK B. HARVEY
SUPERVISORY PATENT EXAMINER